G. R. S. 59]

GENERAL AND REVENUE SECRETARIAT.

1910-11
(Gen. Jin)

File No. 570-10

Serial Nos. 1-4

p. 18
(E)

Papers Filed.

Month August 12

SUBJECT.

Form of bonds for taking security in Cases of House building advances.

PREVIOUS REFERENCES.	LATER REFERENCES.
G. J 179-09 ses 6-8 Bgaum	G 1 9-14 (10, 11, 20+21)
	S+ 28-2nd

B.L. Jois
18.11.13

G.R.S. 11]

1910-11

GENERAL AND REVENUE SECRETARIAT.

(Gen. Jn)

NOTES.

File No. 570-10

FILE HEADING.

Preparation of a form of bond for taking Security other than personal ~~Security~~ in the case of House-building advances.

From

The Deputy Comr, Mysore District,

No. 684. Dated 15-6-11 Received 17-6-11

Diary No. 5002	Enclos.	Spare Copies	Serial No. 1.

BRIEF ABSTRACT OF LETTER.

Requests that a reference may be made to the Govt Advocate for preparing a house-building advance bond, providing for the taking of collateral Security in the shape of other Security, as the form now prescribed does not suit cases where property is offered as collateral Security.

~~NOTES AND ORDERS.~~

Notes and Orders.

Notes—First sheet

G.P.B—15,000—24-4-09.

G. R. S. 12]
General and Revenue Secretariat.

Q.7 File No. 570 of 1910

Serial No.

V
L

1) Submitted with references for orders.
Q.7 179-09-886-8.
Mud 478-06-881-15 } put up.

S.L-145
13.7.11.

No Je 13
19-7-11
with 2 collections

(1)-36
13-7-11

2) Forwarded to the Jt Advocate Jr for favor of drawing up a mortgage bond suitable for taking Collateral security in lieu of Sureties the necessary alterations made upon the present form to suit the purposes.

By order
Sd Abdul Waheed
Dy Secy to Govt

19.7.11

3)

11.C.8
D/ 14-8-11.

The draft of the Mortgage bond herewith put up, with the necessary alterations indicated will answer all the purposes viz.

i). mortgage bond to be executed only by the person borrowing, without either surety or Collateral immoveable security.

ii). Do. with surety, but without Collateral immoveable security

NOTE— Contn. sheet.

GPB—50,000—12-8-10

Serial No.

iii). do to be executed by the person borrowing without surety, but with Collateral immoveable security.

For (i), the following instructions are necessary.

omit the word "first" in line 3
" " words "and C.D of the Second part in line 4
" " word "3rd" in line 5
" " words "and his Surety the said C.D" in line 16.
" " " "do, themselves, their" in line 17
" " " "and C.D, their" in line 20
" " " "jointly and Severally" in line 22
" " word "and" in line 87
" " word "C.D" in line 88
" " words "and C.D" in line 94.
omit the whole of Item 2 in the Schedule.

"or items" in line 31.

(ii)

For (ii) the following do do
omit the word "one" in line 3
" " " "other" in " 5
" " words "both, himself, his" in line 17
" " word "his" . . . in line 20
" " words "or items" . . . in line 31
omit the whole of item 2 in the Schedule

NOTE— Contn. sheet.

GPB—50,000—12-8-10

Serial No.

For no (iii).

Same as no (i), but instead of omitting item 2 of the schedule retain it.

Endorsement on
4-8-11. Govt Advocate's

Govt
Now that a copy of the Despatch. Dy Comr's letter no. 684 of 16.6.1911. has been received and file completed, may the draft agreement form put up by the Govt Advocate be ordered to be adopted in the cases relating to the taking of Collateral security in the shape of other property

M. 86 / 2578 / 29 the present form being universally applicable (with necessary modifications being provided therein) may be adopted in supersession of the existing ones. The Govt Advocate be advised accordingly, reproducing the instructions for filling the bond according to Govt Circular. Please put up a press copy draft as above.

Draft G.O.

1/29/8

Draft Submitted

M. 36 / 29/8 / Kelly

8.) The draft was approved and seen by Secretary.

29/8 / 1911 / P.J.G.

Note— Contn. sheet.

Draft but the draft sent 29/8 Govt Advocate 29/8 1911

G. R. S. 12]
General and Revenue Secretariat.

G. D. File No. 570 of 1910

Serial No.	
	As far as I can judge the draft form is all right. M 2/9
	Dewan)
13376 4.9.11	9) Draft approved Sd/- 7 MVR
	10) Issued 4/9.11
	11) Draft requiring the Press Superintendent to forward unsigned copies for issue & the Heads of Depts is subd for approval M-26 4/3. Issued 5-8
2	To the Bangalore " D.C., Mysore Dt " S, other dts " Heads of depts " Supt, Govt Press. No. H 3631-76 dt 7.3.12 Prescribes a revised form of the bond for House Building Advances & directs that the form be printed on tough paper with full instructions for being written up.
2a	To the Supdt. Govt Press No: 3677 dt 7 3/12 3 manuscript copies vide G O No: 3677 dt 7-3-12 for printing the usual number of copies.

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

(6

Cy. H. File No. 570 of 1910-11.

Serial No.	
3.	From the Offg. Supdt. Govt. Stationery No. 985 Dt 24th June 1912. Requests to be furnished with a Sample form of bond to be executed by persons taking house building advances. The Financial Branch does not stock the form of bonds. It is the Deputy Commissioners Office that has it. May the Superintendent of Govt Press be asked to get it from the Dy Com^r Bangalore? ~~etc~~ Submitted with a draft N. 36 Bkm. (9) 8/7/1912 Issue 2. 9/7
4.	To the Dy: Comr: Bangalore No. HL. 239 Dt 13-7-12 Forwards a copy of Sl. No: 3. and requests that a sample copy of the bond now in use in the case of house building advances may be sent direct to the Supdt Govt Press.

NOTE—Contn. sheet.

GPB—50,000—11-8-10

G. R. S. 12]
General and Revenue Secretariat.

GF File No. 570 of 1910. (7

Serial No.

To.

The Offg: Supdt. Govt Press.

No. FC: 2347 (a) dd 12-7-12

Forwards copies of the bond

15

A proof copy of the bond ~~is to be~~ received from the Press is herewith ~~submitted for~~ approval.

Ldn
24/7/12

11) Examined Le 26/7

Present

Specimens of person Le 26/7

17) Approved. Issue Le 29/7

Memo No. 1149 dd 8.8.1912.

from the Supdt. Govt Press.

Forwards a copy of the 2d proof of the form of mortgage bond in cases of House building advances.

13) The proof has been compared & found Correct. The Govt Press solicit- print- order to be issued. Submitted with an Endorsement. The proof with

Ex. 36 "print" order may be sent to the Press.
10/8.

Ldn
2

Submitted
10/8/12

NOTE—Contn. sheet.

GPB—50,000—14-8-10

G.7 570-10-5

11/17/6

190 5000

Sl. No. 1

From M. Kantaraj Urs Esq., B.A.
Deputy Commissioner,
Mysore District.

To
C.S. Balakrishnama Esq. B.A.
Secy. to Govt. of Mysore,
Gen. & Rev. Depts.

Dated 15th June 1911

Despatched 16th

Received

General No. 684
No.

Enclosure No.

Request the preparation of a House-building advance bond providing for the taking collateral security in the shape of other property

No. 684.
Enc. No.

OFFICE OF THE Deputy Commissioner
MYSORE DISTRICT,

Dated Mysore Camp 15th June 191 .

FROM

M. Kantharaj Urs B.A.
Esq.,
DEPUTY COMMISSIONER, MYSORE DISTRICT.

To

C. S. Balasundram Iyer Esq., B.
Offg: SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
GENERAL AND REVENUE DEPARTMENT

SIR,

I have the honor to invite kind reference to Government order No. F13211-51/M.F. 179-09-7 dated 10th January 1910, prescribing the form of mortgage bond to be used in cases in which collateral security is taken for advances of one year's pay for house building purposes, and Government order No F11894-934/M478-06 dated 9th October 1909 and to state as follows:-

Government order of the 9th October 1909 lays down that in cases where collateral security is required, such security may be taken either in the shape of other property or solvent personal security; but the form prescribed in the Government order of the 10th January 1910, provides only for taking personal security and not for security of the former kind.

As there are instances in which officials offer their property as collateral security the present form in my opinion requires to be slightly altered so as to admit of the property being taken as collateral security, without any legal defect. I would therefore request the favour of your kindly making a reference to the Government advocate for preparing a form of bond to suit such cases.

I have the honor to be
sir,
your most obedient servant

Deputy Commissioner- Mysore.

4 to 2 20/2/12

3 Copies

Fair draft

File No. 570-10.
Serial No. 2

Diary No. of letter replied to 5802

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

( )

19

Date of issue 7 March

Signed by W L Narasimhachar

READ—again G.O. No. H 3211-51 S.R 179-09 dy 10/1/1910 prescribing the form of mortgage bond to be used in cases in which Collateral security is taken for advances of one years pay for house-building purposes

(2) Letter No: 684 dy 16/6/1911 from the Dy Com^r Mysore. (Here recite the

ORDER THEREON.—No. H 3631-76

~~As~~ The form of the Bond now in use for House Building Advance is not suitable in that it ~~does not~~ is not ~~also of~~ Collateral security ~~being~~ taken ~~under~~ It is desirable that over a

Note for cases requiring

SUBJECT.

GPB—10,000—19-4-10

C.S.E. 28/2

that a Standard form providing
for all contingencies should
be ~~drawn up~~ prescribed ~~and used~~ Govt
are pleased to prescribe
in supersession of the Govt order
No. H 3211-57/79-09 dt 10/1/1909, the form
drawn up by the Govt Advocate
and appended to this order.

The forms will be ~~reproduced~~ printed
on tough paper with full instructions
for its being written up

The Superintendent, Govt Press
is requested to print the forms and
supply Deputy Commissioners with
~~as many~~ copies ~~as they may require~~ on indent

Financial Secretary

To The Comptroller, Mysore Govt
The Dy Comrs Mysore Dist
do — of Other Dists.
The Heads of Depts.
The Supdt of Govt Press.

No 36
29/12/11.

L4

G.R.S. 26]

File No. 570
Serial No. 2(a)

Diary No. of letter replied to

No. H 3677
7-3-12

General and Revenue Secretariat
( )
, the 19 .

To
The Superintendent
Fort Pecon.

Date of issue 7-3-12

Signed by M L Nurmukhsingh.

I am directed to forward herewith a copy of G.O. no 3681-76 and to request you to print the usual number of copies and send as early as practicable ~~to the cases are pending~~ ~~collected~~

over.

SUBJECT.

unsigned copies for
being issued to the Heads of Depts

I have &c

for Secretary

N-86
4/3.

List of enclosures,

Copied by

Examined

GPB—20,000—26.9.10

(6

No. 985

OFFICE OF THE SUPERINTENDENT,
MYSORE GOVERNMENT STATIONERY,

Dated Bangalore 24th June 12

FROM D. B. Ramachandra Mooliar, Esquire
~~C. H. YATES, Esq.~~,
Offg SUPERINTENDENT, GOVERNMENT STATIONERY,
BANGALORE.

To K. R. Srinivasaiengar, Esquire, M. A.
Secretary to the Government of Mysore,
General and Revenue Departments.

SIR,

Referring to Government Proceedings
No 16363-76 dated 7th March 12 revising
form of bond to be executed by persons
taking house building advances, I
have the honor to request you to
kindly furnish me at a very early
date with a sample of the form
in question in the required size to
enable me to put the work in hand.

I have the honorable
Sir,
your most obedient Servant
D. Ramachandra
offg Superintendent of
Mysore Stationery

DIARY No. 4828
19 11-19 12
SECTION G. A.
FILE No. 570-10
SERIAL No.

GPB—2,000—22-3-10.

10/7

(7

G.R.S. 26]

File No. 570-1

Serial No. 4

Diary No. of letter replied to 4828

No. H 239

General and Revenue Secretariat

( )

, the *19* .

To

The Deputy Commissioner
Bangalore

Date of issue 13-7-12

Signed by W Shivaram

Sir,

In forwarding
copy of letter No. 985 dt. 24/6/12
from the Offg. Superintendent
Govt. Press, I am directed
to request you to be so
good as to forward, at your earliest convenience, ~~the~~
~~existing form of the~~ bond
now in use in the case of
~~used for drawing up~~ house
building advances. As at

over.

SUBJECT.

enable him to utilise it as a sample

I have the

pl

for Secretary

Copy to the Superintendent for Press with reference to his no 985 of 24.6.1912.

~~and with the remark that the contents~~

By order

pl

for Secretary

Ref. 239 (a)
13-7-12

List of enclosures,

H-36
9/7/1912

Copied by

Examined by

GPB—20,000—23-9-10

This Indenture made the day of
One Thousand Nine Hundred and **between** of
of the $\frac{\text{one}}{\text{first}}$ part (and of the 2nd part),
and the **Dewan of Mysore** of the $\frac{\text{other}}{\text{2nd}}$ part **witnesseth** that under the orders of the Government
of Mysore contained in Proceedings No. dated
and in consideration of the said sum of rupees paid to the said
by the said Dewan of Mysore (the receipt whereof the said
doth hereby acknowledge) for the purpose of enabling the said
to defray the expenses of
building a suitable house for his own residence in he the
said (and his surety the said
) $\frac{\text{doth}}{\text{do}}$ hereby for $\frac{\text{himself}}{\text{themselves}}$, $\frac{\text{his}}{\text{their}}$ heirs, executors and administrators covenant
with the said Dewan of Mysore and his successors that the said
(and) $\frac{\text{his}}{\text{their}}$ heirs, executors or administrators will (jointly and severally) pay
unto the said Dewan of Mysore, his successors and assigns the said sum of Rs.
To years from the date of the commencement of repayment of the loan } on the day of next.
And this Indenture also witnesseth that for the consideration aforesaid he the said
doth hereby convey unto the said Dewan of Mysore, his successors and assigns all that item or items of property situated and more particularly described in the schedule hereto annexed:—To hold the said premises unto the said Dewan of Mysore, his successors and assigns absolutely as his and their own property. Provided always that if and as soon as the said sum of Rs. shall have been repaid by the deduction of monthly instalments of the salary of the said as in the said order mentioned or by any other means whatsoever, then the said Dewan of Mysore, his successors and assigns will at any time thereafter upon the request and at the cost of the said his heirs, executors and administrators and assigns reconvey the said premises unto the said his heirs, executors and administrators and assigns or as he or they shall direct: and it is hereby declared that if the said shall die or quit the service before the said sum of Rs. shall have been fully paid off then and in either of such cases it shall be lawful for the said Dewan of Mysore, his successors or assigns to sell the said premises or any part thereof either together or in parcels and either by public auction or by private contract with power to buy in or rescind any contract for sale and to resell without being responsible for any loss which may be occasioned thereby:—And **to do** and to execute all such acts and assurances for effectuating any such sale as the said Dewan of Mysore, his successors or assigns shall think fit. And it is hereby declared that the receipt of the said Dewan of Mysore, his successors or assigns for the purchase money of the premises sold or any part thereof shall effectually discharge the purchaser or purchasers thereform. And it is hereby declared that the said Dewan of Mysore, his successors and assigns shall hold the moneys to arise from any sale in pursuance of the aforesaid power UPON TRUST in the first place thereout to pay all the expenses incurred on such sale and in the next place to apply such moneys in or towards satisfaction of the moneys for the time being owing on the security of these presents and then to pay the surplus (if any) to the said his heirs, executors, administrators or assigns and it is hereby declared that the said order shall be deemed and taken to be part of these presents.

In witness whereof the said (and)
and by order of the Deputy Commissioner of the District

on behalf of the said Dewan of Mysore have hereunto set their hands the day and the year first above written.

Signed _____

In the presence of—

(Name of witness and address.)

1. _____

2.

SCHEDULE.

Item (1) All that piece of land situated in the District of and sub-registration district of District of registration containing more or less bounded on the North by on the South by on the West by on the East by with the dwelling house and out-houses, stables, cook-rooms and out-buildings of all kinds used or intended to be used with the said dwelling house lately erected together with all rights, easements and appurtenances to the same or any of them belonging.

Where the house, offices, etc., have not yet been erected or in the course of being built "for lately erected" substitute "hereafter to be erected" or "now being erected" as the case may be.

Items (2) all that dry, wet, garden land bearing survey number situate in the village of district of measuring acres guntas and assessed at Rs. per annum together with easements and appurtenances to the same or any of them belonging.

If the additional security mortgaged is a building, it has to be described in the manner stated above.

INSTRUCTIONS FOR WRITING THE BOND.

(i) Mortgage bond to be executed only by the person borrowing without either surety or collateral immoveable security.

Omit the word "first" in line 3.
" words "and C. D. of the 2nd part" in line 4.
" word "3rd" in line 5.
" words "and his surety the said C. D." in line 16.
" words "do, themselves, their" in line 17.
" words "and C. D., their" in line 20.
" words "jointly and severally" in line 22 or items in line 31.
" word "and" in line 87.
" word "C. D." in line 88.
" words "and C. D." in line 94.
Omit the whole of item 2 in the schedule.

(ii) Mortgage bond to be executed only by the person borrowing with surety but without collateral immoveable security.

Omit the word "one" in line 3.
" word "other" in line 5.
" words "doth, himself, his" in line 17.
" word "his" in line 20.
" words "or items" in line 31.
Omit the whole of item 2 in the schedule.

(iii) Mortgage bond to be executed by the person borrowing without surety but with collateral immovable security.

Same as No. (i), but instead of omitting item 2 of the schedule, retain it.